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Federal Communications Commission

DA 99-1945

SEP 28 2 54 PM '99

Before the
Federal Communications Commission
Washington, D.C. 20554

DISPATCHED

In the Matter of

Amendment of Section 73.202(b),	)	MM Docket No. 99-219 ✓
Table of Allotments,	)	RM-9638
FM Broadcast Stations.)	
(Choteau, Montana))	
)	
(Hubbardston, Michigan)	)	MM Docket No. 99-80
	)	RM-9493
)	
(Ingram, Texas)	)	MM Docket No. 99-235
	)	RM-9643
)	
(Parowan, Utah)	)	MM Docket No. 99-224
	)	RM-9605
)	
(Toquerville, Utah)	)	MM Docket No. 99-226
	)	RM-9603
)	
(Valier, Montana)	)	MM Docket No. 99-228
	)	RM-9612
)	
(Washburn, Wisconsin)	)	MM Docket No. 99-18
	)	RM-9414
)	
(Breckenridge, Texas)	)	MM Docket No. 99-243
	)	RM-9675
)	
(Alberton, Montana))	
	)	MM Docket No. 99-218
	)	RM-9637

REPORT AND ORDER
(Proceeding Terminated)

Adopted: September 15, 1999

Released: September 24, 1999

By the Chief, Allocations Branch:

1. The Commission has before it nine separate Notices of Proposed Rule Making ("NPRMs"), as specified below, setting forth separate proposals to allot channels to specific communities. Although these NPRMs were issued separately and the proposals are not mutually exclusive with each other, we are consolidating them in this Report and Order as part of our effort to expedite and make more efficient the FM allotment rulemaking process because these proceedings are uncontested. While consolidated, these dockets are still separate for finality purposes. In the event a reconsideration petition is directed to an action in a particular docket, a separate Memorandum Opinion and Order will resolve that reconsideration petition.

2. Each petitioner filed comments in support of its proposal, reaffirming its intention to apply for the specified channel, if allotted. Each proposal complies with all Commission technical requirements, and we continue to believe that each proposal would serve the public interest. Accordingly, we adopt each proposal as originally proposed. These are as follows:

A. MM Docket No. 99-219; RM 9638; DA No. 1169, adopted June 9, 1999

Action: At the request of The Battani Corporation we are allotting Channel 271C1 at Choteau, Montana, as that community's first local broadcast service.

Coordinates: 47-33-40 NL and 112-18-43 WL

Additional Information: Channel 272C1 can be allotted to Choteau with a site restriction 29.4 kilometers (18.3 miles) south of the community. Since Choteau is located within 320 kilometers of the U.S.-Canadian border, concurrence of the Canadian Government has been obtained for this allotment.

FCC Contact: Kathleen Scheuerle, (202) 418-2180

B. MM Docket No. 99-80; RM-9493; 14 FCC Rcd 4077 (1999)

Action: At the request of Garry Zack, we are allotting Channel 279A to Hubbardston, Michigan, as the community's first local broadcast service.

Coordinates: 43-05-53 NL and 84-51-54 WL

Additional Information: Channel 279A can be allotted to Hubbardston with a site restriction 2.1 kilometers (1.3 miles) west of the community. Since Hubbardston is located within 320 kilometers of the U.S.-Canadian border, concurrence of the Canadian Government has been obtained for this allotment.

FCC Contact: Kathleen Scheuerle (202) 418-2180.

C. MM Docket No. 99-235; RM-9643; DA No. 99-1234, adopted June 16, 1999

Action: At the request of Ingram Radio Broadcasting Company, we are allotting Channel 243A at Ingram, Texas, as the community's first local broadcast service.

Coordinates: 30-04-30 and 99-14-06 WL

Additional Information: Channel 243A can be allotted to Ingram without a site restriction. Since Ingram is located within 320 kilometers of the U.S.-Mexican border, concurrence of the Mexican Government has been obtained for this allotment.

FCC Contact: Kathleen Scheuerle (202) 418-2180

D. MM Docket No. 99-224; RM-9605; DA No. 99-1169, adopted June 9, 1999

Action: At the request of Mountain West Broadcasting, we are allotting Channel 300C2 at Parowan, Utah, as that community's first local broadcast service.

Coordinates: 37-50-30 NL and 112-49-30 WL

Additional Information: Channel 300C2 can be allotted to Parowan without a site restriction.

FCC Contact: Kathleen Scheuerle, (202) 418-2180

E. MM Docket No. 99-226; RM-9603; DA No. 99-1169, adopted June 9, 1999

Action: At the request of Mountain West Broadcasting, we are allotting Channel 280C to Toquerville, Utah, as the community's first local broadcast service.

Coordinates: 37-15-12 NL and 113-17-00 WL

Additional Information: Channel 280C can be allotted to Toquerville without a site restriction.

FCC Contact: Kathleen Scheuerle, (202) 418-2180

F. MM Docket No. 99-228; RM-9612, DA No. 99-1169, adopted June 9, 1999

Action: At the request of The Battani Corporation, we are allotting Channel 289C1 to Valier, Montana, as the community's first local broadcast service.

Coordinates: 48-18-18 NL and 112-15-30 WL

Additional Information: Channel 289C1 can be allotted to Valier without a site restriction. Since Valier is located within 320 kilometers of the U.S.-Canadian border, concurrence of the Canadian Government has been obtained for this allotment.

FCC Contact: Kathleen Scheuerle, (202) 418-2180

G. MM Docket No. 99-18; RM-9414; 14 FCC Rcd 2044 (1999)

Action: At the request of The State of Wisconsin Educational Communications Board, we are allotting Channel *284A to Washburn, Wisconsin, and reserving the channel for noncommercial educational use.

Coordinates: 46-40-12 NL and 90-53-36 WL

Additional Information: Channel *284A can be allotted to Washburn without a site restriction. Since Washburn is located within 320 kilometers of the Canadian border, concurrence of the Canadian Government has been obtained for this allotment.

FCC Contact: Kathleen Scheuerle, (202) 418-2180

H. MM Docket No. 99-243; RM-9675; DA No. 99-1292, adopted June 23, 1999

Action: At the request of Breckenridge Radio Broadcasting Company we are allotting Channel 261A at Breckenridge, Texas, as the community's second local FM broadcast service.

Coordinates: 32-44-34 NL and 98-54-32 WL

Additional Information: Channel 261A can be allotted to Breckenridge with a site restriction 1.5 kilometers (0.9 Miles) south of the community.

FCC Contact: Kathleen Scheuerle, (202) 418-2180

I. MM Docket No. 99-218; RM-9673; DA No. 99-1169, adopted June 9, 1999

Action: At the request of The Battani Group we are allotting Channel 288C2 at Alberton, Montana, as the community's first local broadcast service.

Coordinates: 47-01-45 NL and 114-45-20 WL

Additional Information: Channel 288C2 can be allotted to Alberton with a site restriction 21.7 kilometers (13.5 miles) west of the community. Canadian concurrence has been obtained for the allotment at Alberton. In response to the Notice, The Battani Group provided information demonstrating community status for Alberton.

FCC Contact: Kathleen Scheuerle

3. Accordingly, pursuant to the authority found in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective November 8, 1999, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the communities listed below, to read as follows:

Community	Channel No.
Alberton, Montana	288C2
Breckenridge, Texas	228C2, 261A
Choteau, Montana	271C1
Hubbardston, Michigan	279A
Ingram, Texas	243A
Parowan, Utah	300C2
Toquerville, Utah	280C
Valier, Montana	289C1
Washburn, Wisconsin	*284A, 290C1

4. The window period for filing applications for the commercial allotments will not be opened at this time. Instead, the issue of opening a filing window for the commercial allotments will be addressed by the Commission in a subsequent order.

5. IT IS FURTHER ORDERED, That the aforementioned proceedings ARE TERMINATED.

6. For further information concerning a specific docket, contact the FCC Contact person listed above for that docket. Questions related to the application filing process should be addressed to the Audio Services Division, Mass Media Bureau, (202) 418-2700.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau